IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.998 OF 2004

M/s. Vatan Singh & Company ..Petitioner.
Vs.
Maharashtra Industrial Development
Corporation & Ors. ..Respondents.

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Mr. Uday Sankar Samudrala for the Petitioner.
Ms. Deepa Chavan i/b Little & Co. for the Respondents.

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CORAM : DALVEER BHANDARI, C.J.&
DR.D.Y.CHANDRACHUD, J,

16th August, 2004.

P.C. :

1. This petition is directed against the order dated 28th August, 2003 by which the petitioner contractor has been black listed for a period of five years because he carried out substandard quality of work resulting in settlement of the embankment thereby causing formation of potholes and cracks at certain locations of the road surface of newly constructed approached bridge.

2. The short grievance of the petitioner is that before passing

this order, no notice of any kind was given to him according to the principles of the natural justice.. The learned counsel appearing for the respondents fairly submits that in view of the judgment of the Apex Court in Raghunath Thakur v. State of Bihar ((1989) 1 SCC 229), it has been decided to give personal hearing to the petitioner. We direct that personal hearing be given within a period of four weeks and the respondents are directed to pass a reasoned order. Until then, the order dated 28th August, 2003 should be construed as an order suspending the contractor from getting any work by the respondents. No further directions are necessary. The petition is accordingly disposed of.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.